

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 582

November 17, 1995, 1:15 p.m.
Page S-17227 Temp. Record

NATIONAL HIGHWAY SYSTEM CONFERENCE/Passage

SUBJECT: Conference report to accompany the National Highway System Designation Act of 1995 . . . S. 440. Agreeing to the conference report.

ACTION: CONFERENCE REPORT AGREED TO, 80-16

SYNOPSIS: The conference report to accompany S. 440, the National Highway System Designation Act of 1995, will designate the National Highway System in accordance with the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). National Highway System funding (NHS) and Interstate Maintenance funding are contingent on enactment of this designation. Details include the following:

- the Secretary of Transportation will be permitted to add or delete routes to the NHS, though the total mileage limitation for the NHS will not change;
- States will be allowed to pay the costs associated with bond financing with Federal-aid highway funds;
- the amount of money each State will receive under the Congestion Mitigation and Air Quality program will stay at its fiscal year (FY) 1994 level;
- the penalty for not mixing scrap tire rubber into asphalt will be repealed;
- the Federal share for toll facilities will not exceed 80 percent (currently, the maximum ranges between 50 percent and 80 percent);
- States will not be required to post metric traffic control signs;
- States will not be required to implement the six management systems required in ISTEA;
- \$17.5 million in contract authority for FY 1996 and \$80 million in contract authority for FY 1997 will be provided to rehabilitate the Woodrow Wilson Bridge, which crosses the Potomac River between Maryland and Virginia, and to plan, design, and acquire the rights-of-way for a new bridge or tunnel or bridge and tunnel crossing of the Potomac River;
- States will no longer be punished for setting maximum speed limits in excess of 55 miles per hour (MPH) for motor vehicles (see vote Nos. 269-270 for related debate);

(See other side)

YEAS (80)				NAYS (16)		NOT VOTING (3)	
Republican (47 or 94%)		Democrats (33 or 72%)		Republicans (3 or 6%)	Democrats (13 or 28%)	Republicans (3)	Democrats (0)
Abraham	Helms	Baucus	Heflin	DeWine	Akaka	Gramm ⁻²	
Ashcroft	Hutchison	Bingaman	Inouye	Gorton	Biden	McCain ⁻²	
Bennett	Inhofe	Boxer	Johnston	Roth	Bradley	Smith ⁻²	
Bond	Jeffords	Breaux	Kennedy		Dodd		
Brown	Kassebaum	Bryan	Kerrey		Feinstein		
Burns	Kempthorne	Bumpers	Kohl		Hollings		
Campbell	Kyl	Byrd	Levin		Kerry		
Chafee	Lott	Conrad	Mikulski		Lautenberg		
Coats	Lugar	Daschle	Moynihan		Leahy		
Cochran	Mack	Dorgan	Murray		Lieberman		
Cohen	McConnell	Exon	Nunn		Moseley-Braun		
Coverdell	Murkowski	Feingold	Pryor		Pell		
Craig	Nickles	Ford	Reid		Simon		
D'Amato	Pressler	Glenn	Robb				
Dole	Santorum	Graham	Rockefeller				
Domenici	Shelby	Harkin	Sarbanes				
Faircloth	Simpson		Wellstone				
Frist	Snowe						
Grams	Specter						
Grassley	Stevens						
Gregg	Thomas						
Hatch	Thompson						
Hatfield	Thurmond						
	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

- funding will be provided for certain "innovative" projects;
- the penalties imposed on States that do not have mandatory motorcycle helmet laws will be repealed (see vote No. 274; for related debate, see vote Nos. 271 and 275);
- States still will not be permitted to use Federal highway funds for intercity rail (Amtrak) expenditures (see vote No. 276 for related debate);
- a percentage of Federal highway funds will be withheld from any State that does not provide that anyone under the age of 21 with a blood alcohol level of .02 or more who is operating a motor vehicle is legally intoxicated or under the influence of alcohol (see vote No. 277);
- the Environmental Protection Agency will not be permitted to require adoption or implementation by a State of a test-only or an I/M240 enhanced vehicle inspection and maintenance program;
- Federal truck regulations will be waived for certain small and mid-sized trucks;
- States will not have to convert their internal working documents on highways to the metric system until 2000;
- New Hampshire and Maine will be allowed to meet the safety belt use law (49 U.S.C. 153) by meeting performance requirements (this provision will apply retroactively);
- a State infrastructure bank pilot program will be started (up to 10 States will be allowed to participate); and
- the ban on new billboards on scenic byways will be codified, though there will be some discretion to allow new billboards on scenic byways that pass through commercial areas.

Those favoring passage contended:

We are very pleased that we have finally completed the conference on this bill to designate the National Highway System and release over \$6 billion in highway funding to the States. The major purpose of this legislation is to approve the National Highway System, which is a network of approximately 160,000 miles of highways in our Nation. These roads represent only 4 percent of all the highways in America, but they carry 40 percent of all the traffic. They connect strategic facilities including our ports, airports, train stations, and military stations. Highways included in the system are selected through a cooperative process among Federal, State, and local officials.

President Eisenhower started the national highway system in the 1950s so it would be possible to move military equipment quickly across the country should the need arise. Before that time, State road systems were built with State needs in mind--little thought was given to interstate travel. Building the national highway system proved not only to have military value, it also proved to be a huge spur to economic growth. In 1991, with the National Highway System nearly complete, Congress passed the Intermodal Surface Transportation Efficiency Act (ISTEA), which delegated a great deal of authority to the States over the spending of Federal transportation dollars. Part of ISTEA required the passage of this bill, which contains the designation of highways to be included in the system, as agreed to by the Federal and State governments. The total mileage of 160,000 miles consists of 44,000 miles of interstate, 5,000 miles of high-priority corridors, 15,000 miles of non-interstate strategic highway network routes, and 1,900 miles of strategic highway network connectors. The remaining 91,000 miles were identified by the States and the Federal Highway Administration. We think one of the crowning achievements of this network is that with the passage of this bill more than 90 percent of Americans will live within 5 miles of a National Highway System road. Other particular achievements of this bill include that it will decrease Federal paperwork requirements, lift metric system mandates, and eliminates onerous new Environmental Protection Agency emissions testing requirements.

In addition to these generally agreed upon reforms, all Senators are aware that there are some controversial parts to this conference report. Most of those parts have already been overwhelmingly agreed to by the Senate, though, so Senators should not complain about their inclusion. For instance, Senators voted overwhelmingly to allow each State to decide for itself the speed limits that it will have, and whether or not it will require its citizens to wear motorcycle helmets. In areas where a 55-mile-per-hour speed limit makes sense to a State, it will adopt such a limit. In some places it may set lower limits, and in some areas, especially in sparsely populated areas in the West, higher limits will be set. Many of us have fought for the right to let States decide these issues for a number of years, and we are very pleased that we are at last going to prevail. Another controversial element of this conference report is that it will not allow States to use Federal transportation funding for Amtrak. Most Senators favored giving States this right, but the House refused. This issue may be revisited in the future. On one controversial subject, billboards, it has been inaccurately reported that the Senate receded to the House provision. The opposite is true. The Senate position was that billboards should not be placed along scenic highways except in highly industrial or commercial areas, and then only with Federal approval, and that is the language that has been put into the conference report.

S. 440 is one of the most important bills that we will consider this Congress. Unlike most legislation that is considered, this bill will do more than redistribute money. Most Government spending is on the consumption side of the economy; infrastructure spending is on the production side. Building and improving roads spurs new investment, new businesses, new jobs, and higher standards of living. This bill invests in America's future. We are pleased to vote in favor of passage of the conference report.

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While favoring final passage, some Senators expressed the following reservations:

Some of us are not pleased with one or more provisions in this conference report. Provisions which some of us object to include the elimination of the Federal speed limit, the elimination of the mandate on motorcycle helmets, and the denial of the right for States to spend highway funds on Amtrak if they so choose. We recognize that conference reports are a product of compromise, and we realize the importance of the highway funding in this conference report, so we will vote for its adoption.

Those opposing passage contended:

Argument 1:

There is certainly much to commend in this conference report. However, its provisions that will weaken Federal transportation safety standards are so objectionable that we must vote against it. The 3 provisions which we especially object to are the repeal of the Federal speed limit, the repeal of the motorcycle helmet mandate, and the waiver of Federal truck regulations for small and mid-size "unit" trucks. These provisions will lead to a tremendous amount of carnage on our Nation's highways. We truly hope that we are wrong, but we do not believe that we are, so we must vote against this conference report.

Argument 2:

The Senate passed an amendment that would have allowed States to use a portion of their highway funds for Amtrak. It was not a mandate; it was permission. That amendment passed the Senate overwhelmingly (see vote No. 276), but the House insisted on dropping it from the conference report. The opposition is due to some Members' belief that Amtrak carries too few passengers (3 percent of intercity traffic) to warrant funding from scarce highway funds. However, we remind our colleagues that States already have the option of diverting funds for many other transportation purposes, including bike paths and foot paths. Surely our colleagues at least recognize that intercity travel by train is a more attractive mode of transportation than walking. For the most part, this amendment would have met a regional need. Air and road routes along the Northeast corridor are heavily congested. An expansion of Amtrak service would greatly alleviate this problem at the lowest overall cost. States along the Eastern seaboard, and everywhere else, should have been given the right to determine for themselves if it served their transportation needs to divert a portion of their highway funds to Amtrak. Congress should not have decided that the Federal Government knows States' needs better than States know them themselves. In protest, therefore, we urge the rejection of this conference report.